

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 15-28 are pending in the present application. No claims are amended or added by the present amendment.

In the outstanding Office Action, Claim 15 was rejected under 35 U.S.C. §103(a) as unpatentable over Shoichi (JP 2002-0277779) in view of Ma et al. (U.S. Pat. Pub. No. 2006/0113954, herein “Ma”); and Claims 16-28 were objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form.

Initially, Applicants gratefully acknowledge the indication of the allowable subject matter in Claims 16-28. However, since Applicants consider that Claim 15 patentably defines over the cited art, Claims 16-28 depending therefrom have presently been maintained in dependent form.

Specifically, Applicants respectfully traverse the rejection of Claim 15 under 35 U.S.C. §103(a) as unpatentable over Shoichi and Ma. Applicants note that Ma claims priority to November 30, 2004 based on Provisional App. 60/631,543 while the present application claims priority back to March 19, 2004 based Japanese Application 2004-080513.

In addition, in order to perfect priority and to comply with the requirements of 37 C.F.R. §1.55, Applicants have filed herewith a certified English translation of Japanese Priority Application 2004-080513 filed March 19, 2004.

Thus, Applicants respectfully submit that the present Application’s perfected priority date of March 19, 2004 is earlier than the priority date of the Ma reference (i.e. November 30, 2004). Accordingly, Applicants respectfully request that the rejection of Claim 15 under 35 U.S.C. §103(a) as unpatentable over Shoichi and Ma, be withdrawn.

In addition, Applicants note that embodiments 9 to 11 (paragraphs [0059] to [0067]) corresponding to Figures 18 to 21 of the present application were added at the time of the PCT filing (March 16, 2005) however, the features of Claim 15 rejected in the outstanding Action are supported by the disclosure of Japanese Priority Application 2004-080513 filed March 19, 2004.

Consequently, it is respectfully submitted that Claims 1-16 define allowable subject matter and are in condition for allowance. An early and favorable action to that effect is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

James Love
Registration No. 58,421